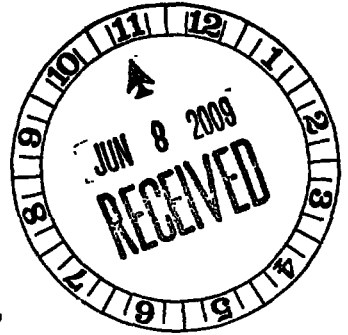


FRIENDS OF FRED MEIJER HEARTLAND TRAIL

P.O. Box 805
Stanton, MI 48888

June 2, 2009



225216

Honorable Anne K. Quinlan
Acting Secretary
Surface Transportation Board
395 E Street, S.W.
Washington, D. C. 20423

RE: Docket No. AB-364 (Sub-No. 14X), *Mid-Michigan Railroad, Inc.-Abandonment Exemption-in Kent, Ionia, and Montcalm Counties, MI*

Dear Acting Secretary Quinlan:

On December 23, 2008, the Surface Transportation Board (the "Board") granted a request to substitute Friends of the Fred Meijer Heartland Trail ("FFMHT") for the West Michigan Trails and Greenways Coalition to negotiate interim trail use/rail banking with the Mid-Michigan Railroad, Inc. ("MMRR") for approximately a 21.88-mile rail line between Lowell, milepost 103.20, and Greenville, milepost 81.32, in Kent and Montcalm Counties, MI (the "Line"), in the above-entitled proceeding. The negotiation period is scheduled to expire on June 21, 2009.

FFMHT and MMRR have diligently negotiated a trail use agreement for the Line. FFMHT is working to finalize funding for the acquisition of the Line, but does not expect to have all of the funding available until March 31, 2010 in order to close the transaction. Therefore, FFMHT respectfully request the Board to grant an extension of the period for FFMHT to negotiate trail use for the Line with MMRR until March 31, 2010. Although the extension sought is more than 180 days, the Board has granted such extensions in the past. *See, e.g. New York Central Lines, LLC-Abandonment Exemption in Middlesex County, MA*, STB Docket No. 565 (Sub-No. 2X) (STB served March 20, 2009), where the negotiating period was extended for one year. FFMHT contends that there is good cause for the extension of the negotiating period to March 31, 2010 since FFMHT expects funding for the trail acquisition to be completed by March 31, 2010, and in order to reduce the administrative burden and costs on FFMHT, MMRR, and the Board. Enclosed is a check for the filing fee of \$450.

An original and 10 copies of this letter are being filed. Please time and date stamp the additional copy of this letter and return it in the enclosed stamped envelop. Thank you for your assistance.

If you have any questions please call or email me.

Sincerely yours,

Franz Mogdis, Chairman
Friends of Fred Meijer Heartland Trail
fmogdis@maisd.com

FEE RECEIVED

JUN - 8 2009

**SURFACE
TRANSPORTATION BOARD**

Enclosures

Cc: Mid-Michigan Railroad, Inc.

ENTERED
Office of Proceedings
JUN - 8 2009
Part of
Public Record

FILED

JUN - 8 2009

**SURFACE
TRANSPORTATION BOARD**

BEFORE THE
SURFACE TRANSPORTATION BOARD

Docket No. AB-364 (Sub-No. 14X)



MID-MICHIGAN RAILROAD, INC.—ABANDONMENT EXEMPTION
IN KENT, IONIA AND MONTCALM COUNTIES, MI

STATEMENT OF WILLINGNESS TO ASSUME FINANCIAL RESPONSIBILITY

In order to establish interim trail use and rail banking under 16 U.S.C. §1247(d) and 49 CFR §1152.29, Friends of Fred Meijer Heartland Trail ("FFMHT") is willing to assume full responsibility for management of, for any legal liability arising out of the transfer or use of, and for the payment of any and all taxes that may be levied or assessed against the right-of-way owned and operated by Mid-Michigan Railroad, Inc. ("MMRR"). The property, known as Lowell to Greenville Line, extends from railroad milepost 103.20 near Lowell, to railroad milepost 81.32, near Greenville, a distance of 21.88 miles in Kent, Ionia and Montcalm Counties, MI. The right-of-way is part of a line of railroad proposed for abandonment in Docket No. STB AB-364 (Sub-No. 14X).

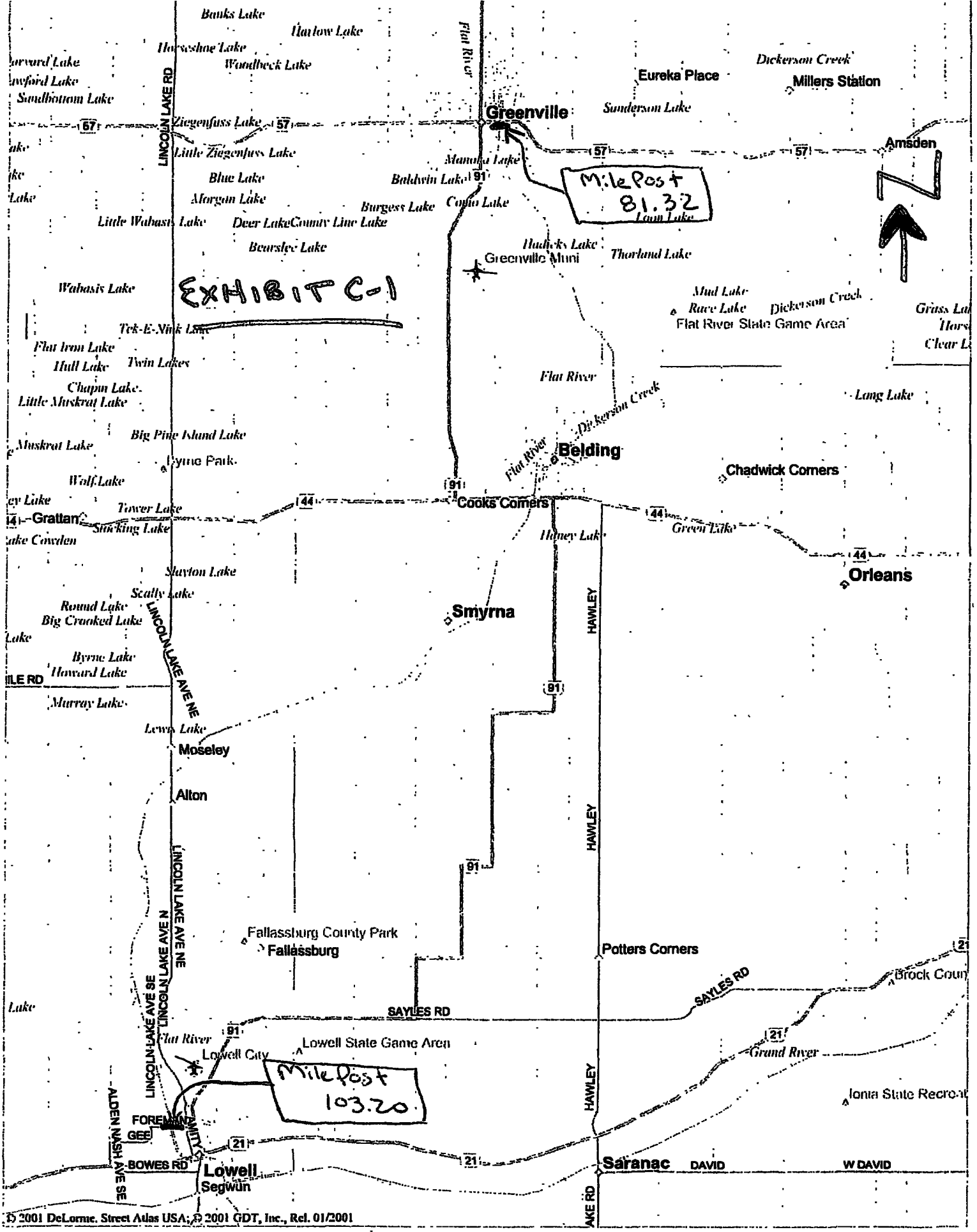
A map of the property depicting the right-of-way is attached.

FFMHT acknowledges that use of the right-of-way is subject to the user's continuing to meet its responsibilities described above and subject to possible future reconstruction and reactivation of the right-of-way for rail service. A copy of this statement is being served on the MMRR on the same date it is being served on the Board.

Respectfully submitted,



Franz J. Mogdis, Chairman
Friends of Fred Meijer Heartland Trail



+++++ PROPOSED SALE (Lowell MP 103.20 to Greenville MP 81.32)